

### **REMARKS**

Reconsideration of the present application is respectfully requested.

By the present Amendment, the subject application has been amended to address all of the matters raised in the Office Action of November 24, 2003.

Claims 1-10 and 27-33 are allowed. Claims 12-24 have been rejected by the Office Action dated November 24, 2003. By the present Amendment, claims 12-18, 21, 23, and 24 have been canceled without prejudice. Claim 22 was canceled without prejudice in the prior amendment in this application filed on September 17, 2003. New independent claims 34-36 are presented herewith and claim allowable subject matter. Claims 19 and 20 have been rewritten to depend from claim 35. It is respectfully submitted that the remaining claims 34-36, and 19 and 20 as rewritten and claims 23 and 24 are in condition for allowance along with the allowed claims 1-10 and 27-33.

### **Claim Rejection - 35 USC §103**

#### **Claim 34**

Claim 34 describes a material transfer device having a body and a locking sleeve. Either the body or the locking sleeve has at least one locking tab integrally formed therewith. The locking sleeve has at least one aperture therein for receiving the one locking tab therein. The material transfer device described in claim 35 has been rejected as being obvious in light of the tire valve connector described in the IDS filed 9-17-2003 ("IDS tire valve connector").

While the IDS tire valve connector is formed from plastic material, it does not have a locking sleeve that has at least one aperture therein for receiving the one locking tab therein. The

outer member 14 in the IDS tire valve connector does not have at least one aperture therein for receiving the fingers 20 therein. Except for the spaces 22, the four fingers 20 extend substantially around the inner periphery of the outer member 14.

"If the proposed modification would render the prior art invention (IDS tire valve connector) being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification" (MPEP § 2143.01 p 2100-127, column 1, lines 1-4 with "(IDS tire valve connector)" added). Obviousness can only be established where there is some teaching, suggestion or motivation to do so.

There is no suggestion or motivation to modify the IDS tire valve connector to include at least one aperture in the outer member 14 in the IDS tire valve connector for receiving the fingers 20 therein. Furthermore, it is respectfully submitted that if there was at least one aperture in the outer member 14 to receive the fingers therein, there would be substantially no material between the apertures to connect the output end 18 of the outer member to the balance of the outer member. Such a design change would render the IDS tire valve connector unsatisfactory for its intended purpose.

It is respectfully submitted that the material transfer device described in claim 34 is not obvious in light of the tire valve connector described in the IDS tire valve connector.

#### **Claims 35, 19 and 20**

Claim 35 describes a material transfer device having a body and a locking sleeve. Either the body or the locking sleeve has at least one assembly prong. The other of the body or the locking sleeve has a prong engaging surface for engaging the one assembly prong. The one

prong has a bearing surface in contact with the prong engaging surface. The prong engaging surface has a stop surface for contacting the one prong and restraining disassembly of the body and the locking sleeve. The material transfer device described in claim 35 has been rejected as being obvious in light of the tire valve connector described in the IDS filed 9-17-2003 ("IDS tire valve connector").

The IDS tire valve connector does not have the following components:

- 1) Neither the inner or outer member 12, 14 has at least one assembly prong.
- 2) Neither the other of the inner or outer member 12, 14 has a prong engaging surface for engaging an assembly prong.
- 3) There is no bearing surface on one prong in contact with the prong engaging surface.

The IDS tire valve connector requires that the inner or outer members 12, 14 are first assembled and after assembly, the outer member 14 is deformed to form the raised staked portions 40 on the output end 18 of the outer member 14. These staked portions contact the output end 18 of the inner member 12 to hold the assembled tire valve connector in an assembled position. There is no suggestion, teaching or suggestion in the IDS tire valve connector to provide the elements 1-3 defined above.

Claims 19 and 20 depend from claim 35 and are not obvious in light of the IDS tire valve connector for the reasons cited above. In addition, claim 19 provides that the one assembly prong is formed at angle toward the body or the locking sleeve not having the prong thereon. Claim 20 provides that the body or locking sleeve not having the prong thereon has a raised stop portion for restraining disassembly of said body and said locking sleeve.

It is respectfully submitted that the material transfer device described in claims 35, 19 and 20 are not obvious in light of the tire valve connector described in the IDS tire valve connector.

**Claim 36**

Claim 35 describes a material transfer device having a body and a locking sleeve. The locking sleeve has at least one assembly prong and the body has a prong engaging surface for engaging the one assembly prong. The one prong has a bearing surface in contact with the prong engaging surface. The prong engaging surface has a stop surface for contacting the one prong and restraining disassembly of the body and the locking sleeve. The material transfer device described in claim 36 has been rejected as being obvious in light of the tire valve connector described in the IDS filed 9-17-2003 ("IDS tire valve connector").

The IDS tire valve connector does not have the following components:

- 1) The outer member 14 does not have at least one assembly prong.
- 2) The inner member 12 does not have a prong engaging surface for engaging an assembly prong.
- 3) There is no bearing surface on one prong in contact with the prong engaging surface.

The IDS tire valve connector requires that the inner or outer members 12, 14 are first assembled and after assembly, the outer member 14 is deformed to form the raised staked portions 40 on the output end 18 of the outer member 14. These staked portions contact the output end 18 of the inner member 12 to hold the assembled tire valve connector in an assembled position. There is no suggestion, teaching or suggestion in the IDS tire valve connector to provide the elements 1-3 defined above.

It is respectfully submitted that the material transfer device described in claim 36 is not

obvious in light of the tire valve connector described in the IDS tire valve connector.

### **Claims 23 and 24**

Claim 23 provides a method of assembling a material transfer device having a body and a locking sleeve. The locking sleeve has at least one assembly prong and the body has a prong engaging surface for engaging the one assembly prong. The one prong has a bearing surface in contact with the prong engaging surface. The prong engaging surface has a stop surface for contacting the one prong and restraining disassembly of the body and the locking sleeve. The method of assembling a material transfer device described in claim 23 has been rejected as being obvious in light of the tire valve connector described in the IDS filed 9-17-2003 ("IDS tire valve connector").

The IDS tire valve connector does not have the following components:

- 1) The outer member 14 does not have at least one assembly prong.
- 2) The inner member 12 does not have a prong engaging surface for engaging an assembly prong.
- 3) There is no bearing surface on one prong in contact with a prong engaging surface.

The IDS tire valve connector requires that the inner or outer members 12, 14 are first assembled and after assembly, the outer member 14 is deformed to form the raised staked portions 40 on the output end 18 of the outer member 14. These staked portions contact the output end 18 of the inner member 12 to hold the assembled tire valve connector in an assembled position. There is no suggestion, teaching or suggestion in the IDS tire valve connector to provide the elements 1-3 defined above.

Since the elements 1-3 do not exist, the following steps in claim 23 cannot be performed:

- 1) moving the assembly end of said locking sleeve towards the outlet end of said body to deform said prongs by contact with said outer surface of said body, and
- 2) positioning said prongs in a depression in said plastic body, wherein said depression has a stop surface to restrain movement of said assembly end of said sleeve towards said inlet end of said body.

It is respectfully submitted that the material transfer device described in claim 23 is not obvious in light of the tire valve connector described in the IDS tire valve connector since the elements to perform these steps do not exist in the IDS tire valve connector. Claim 24 which describes the product made by the method of claim 23 and is allowable for the reasons cited above in connection with claim 23.

It is noted that the Office Action of November 24, 2003 recites 35 USC §102 but no specific rejections of any of the claims are cited under that section.

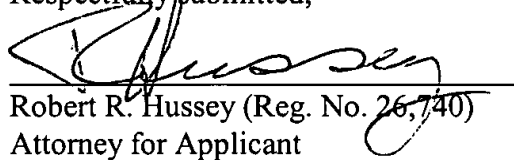
### **Conclusion**

It is respectfully submitted that the allowable subject matter indicated by the Examiner in the Office Action dated November 24, 2003 has been defined in newly presented claims 34-36 and 19 and 20 as rewritten and claims 23 and 24, and the rejections of claims 12-24 with respect to claims 34-36 and 19 and 20 as rewritten and claims 23 and 24, have been overcome and that the claims of this Application clearly and patentably define over the references of record. Therefore, it is respectfully requested that the claims as amended by this amendment be allowed and this application be passed to issue.

If for any reason the Examiner believes that a telephone conference would expedite the prosecution of this application, the Examiner is respectfully requested to call Applicants' attorney in Cleveland, Ohio, at (216) 687-1111.

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Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

Changes to the claims:

19. (Once Amended) A material transfer device as described in claim 35 [18] in which said one assembly prong is formed at angle toward said body or said locking sleeve not having said prong thereon.

20. (Once Amended) A material transfer device as described in claim 35 [18] in which said body or said locking sleeve not having said prong thereon having a raised stop portion for restraining disassembly of said body and said locking sleeve.